APPLICANT ARGUMENTS OR REMARKS

Claims 1-18 are now in the application. Claims 1, 3, 10, 12 and 17 are amended. Claims 1, 10, 17 and 18 are independent claims. Claim 18 is new.

Claim Rejection under 35 U.S.C. 103(a)

The Office Action rejects claims 1- 17 under 35 USC 103 as being obvious in view of Matsumoto (US 5,755,619) in view of Hirakata (US Pub. 2002/0126084).

In a telephone interview on February 15, 2006, Examiner T. Pham pointed out that she had inadvertently transposed Matsumoto and Hirakata in detailing the basis for her rejections. In this response, the cited referecnes will be referred to as intended by the examiner, rather than as they appear in the Office Action.

Hirakata teaches a device a liquid crystal display and a touch sensitive device linked so that the input to the touch sensitive device can be displayed in a user-selected color on the LCD. In this way a user can, for instance, draw lines in a color of their choice. Hirakata does not, however, teach associating any of the colors with a device action in a lookup table, nor does he teach using the coordinates of the contact on the touch screen to retrieve a color of a pixel at a corresponding position in an undisplayed color mask.

Matsumoto teaches a bingo game machine with a touch screen that is make functional in a conventional way, i.e., the x, y coordinates of a pressed position are compared to the x, y coordinates of menu items being displayed on the screen (col. 4 line 59 to col. 5, line 20).

Applicant's invention as embodied in, for instance, claim 1, in contrast, is a method of establishing which control area on a display of a computing device has been selected in a way that does not directly compare the geometry of a displayed control area with the selected coordinates. Instead applicant's invention as embodied in, for instance, claim 1 establishes which control area is selected by determining the color of a pixel in a non-displayed color mask at a position in the non-displayed color mask corresponding to the coordinate position selected on the screen. The non-displayed color mask has regions that correspond to the selectable regions on the screen. In the non-displayed color mask these regions are colored using colors that are associated with specific device control actions. In the displayed control bitmap these regions may have one or more different colors associated with them for aesthetic reasons, typically to display graphic icons or graphic representations of function buttons. When a position on the touch screen is selected, the device then looks at the

corresponding position in the non-displayed color mask, determines what color pixel it is, and uses the color to determine what, if any, function to perform. This works efficiently because many cell phone operating systems have quick methods of determining the color of a pixel.

In order to clarify the difference between the applicant's invention and the cited prior art, claim 1 has been amended to now recite:

> A method of establishing which control area shown on a display of a computing device has been selected by a user, comprising the steps of:
>
> (a) representing each of a set of device control actions with one of a set of unique colors using a predefined lookup table;
>
> (b) associating each of a plurality of selectable control areas of said display with one of said set of unique colors in a color mask;
>
> (c) storing said color mask in a memory of said computing device;
>
> (d) generating a set of co-ordinates for a contact location on the display while said color mask is not displayed on said display;
>
> (e) retrieving the color mask color by obtaining the color assorted with a pixel in said color mask at a location corresponding to said set of co-ordinates; and
>
> (f) establishing the control area and the device control action which is associated with the same color as the retrieved color.

Support for these amendments are found in, for instance, claim 1 as filed, and the application as filed on page 8, lines 19 to page 9, line 17.

As the Office Action does not show where either Matsumoto and Hirakata teach representing device control actions with a unique color, or associating selectable control areas of a display with one those unique colors in a color mask that is not displayed, the Office Action does not show how Matsumoto and Hirakata make applicant's invention obvious. Applicant, therefore, requests that this rejection be withdrawn and claim 1 allowed.

As independent claims 10, 17 and 18 contain similar limitations, applicant requests that the rejection be withdrawn and claims 10, 17 and 18 allowed.

Claims 2-9 and 11-16 each depend from, and include all the limitations of, a now allowable independent claim. Applicant, therefore, requests that these claims be allowed.

Summary

Therefore, in view of the foregoing amendments and remarks, applicant respectfully requests entry of the amendments, favorable reconsideration of the application, withdrawal of all rejections and objections and that claims 1-18 be allowed at an early date and the patent allowed to issue.

Respectfully submitted,

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